

Application No.: 09/667,836

Docket No.: JCLA6695

REMARKS**Present Status of the Application**

The Office Action mailed on March 1, 2004, rejected claims 2, 7-11 and 13. Specifically, the Office Action rejected claims 2, 7-11 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In addition, the Office Action rejected claim 10 under 35 U.S.C. 102(b) as being anticipated by Vermes et al. (3,727,495), and rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over Vermes et al. Applicant has amended claims 2, 22 and 13 above to overcome the rejections under 35 U.S.C. 112, second paragraph. No new matter is added in the amendments. After entry of the foregoing amendments, claims 2, 7-11 and 13 remain pending in the present application, and reconsideration of those claims is respectfully requested.

Discussion of Office Action Rejections**I. REJECTION UNDER 35U.S.C. 112**

Claims 2, 7-9, 11 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicant has amended claims 2, 11 and 13 above to more clearly describe the claimed features and specify the relationship between the retaining device, oblique plate and the blade. In this way, Applicant respectfully submits that the rejection has been addressed and should be overcome.

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II. REJECTION UNDER 35 U.S.C. 102 & 103

Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Vermes et al. (3,727,495). The Office Action alleged that Vermes has disclosed every element of claim 10 of the invention. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vermes et al. (3,727,495).

With respect to claim 10, the Office Action states that Vermes discloses a rotary blade (68, 72), an arranging device (83), a retainer device (86) and a conveying device (90). We disagree these interpretation for at least the following reasons.

The alleged arranging device (83) is a pusher (see FIG. 1 and col. 5, lines 64-67, Vermes) to push the bundle B from the support 62 to the support 63. When the bundle B falls from the guide 82 to the support 62, the bundle is then pushed to the support 63 (col. 6, lines 1-4). Therefore, the pusher 83 is only means for pushing the bundle. This pusher 83 cannot achieve an effect of "*arranging a long side of the tablet to be perpendicular to the tablet's moving direction by moving the tablet for a predetermined distance*" as claimed in the invention.

In addition, the retainer device of the invention is coupled to the arranging device, for retaining the tablet arranged by the arranging device from the long side of the tablet such that the position of the tablet is coincident with a location corresponding to the rotary blade. In contrast, the Vermes's pusher 83 does not couple to the gate 86 (the alleged retainer device). Therefore, the structure of Vermes is different from the invention. Further, the gate 86 of Vermes, including two pivotally-mounted gate members 87, 88. The two gate members 87, 88 are open and closed

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continuously to receive the bundle that is pushed by the pusher 83. Therefore, their function and structure are all different.

The present invention is different from the Vermes reference for further reasons discussed as follows.

First, regarding the arranging device, the function and object of the present invention and the Vermes reference are different, and therefore, their operation and mechanism are completely different. The objects to be cut in the present invention and the Vermes reference are different. More detail, according to the Vermes reference, the disclosed machine is designed to cut the sheet S's any location, and a plurality of saws 35 is arranged in parallel (see FIG. 4) to cut the sheet S into strips. In contrast, according to the present invention, the arranging device can arrange the center of the tablet to match the position of one blade, so that the table can be cut into half from its center. Namely, the Vermes' machine can only cut the sheet S at preset locations (positions), and does not have a structure capable of cutting the tablet from its center as well as arranging the tablet's center to be consistent with the location of the blade. Therefore, the claimed arranging device of the present invention is different from the Vermes reference.

In addition, regarding the gate 86 of the Vermes reference, its function is clearly different from the present invention. The concept of the present invention is to exactly cut off an object with an unstable shape into half from the object's center. Therefore, the retainer of the present invention is used to match the positions of the tablet's center (cutting position) and the blade, rather than gate and pusher of Vermes that are a pushing means for pushing the bundle B.

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Namely, according to the Vermes reference, the bundles B between the upper and lower guides 81, 63 are pushed by the pusher 83, and then the bundles are sequentially pushed to slide on a inclined plate and cut. In contrast, according to the present invention, the tablet is sandwiched and fixed between the resilient roller surface and the resilient oblique plate. Due to the different friction coefficient of the roller surface and the oblique plate surface as well as the different deformation, the tablet is held at the roller side and cut. This operation is completely different from the Vermes reference.

Furthermore, according to Vermes reference, since the bundle is cubic, the force provided by the pusher can be correctly transferred to each bundle no matter how many bundles are stacked, and the bundles can stably slide on the plate. In addition, since the object to be cut is cubic, a cutting power of the blade can be obtained without rotating the bundle objects if a channel width equal to the bundle height is formed by the guides 81, 63.

On the other hand, in the present invention, the upper, the lower, the front and the back surfaces of the table, i.e., the object to be cut, are curve surfaces with a convex-lens shape. If the tablets are lined up, the centers of the tablets will deviate from each other due to their unstable curve surface, so that the tablets cannot move along a desired direction. Namely, the Vermes' machine cannot be used because Vermes' machine is used to sort the stable cubic bundles. For the unstable-shaped table, the tablet is held and gripped one by one by an elastomer. By the gripping force of the elastomer, even though the tablet is subject to the cutting force from the blade, the tablet position will not be shifted and the tablet can be exactly cut at the preset position.

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Therefore, since the objects to be cut in the present invention and the Vermes reference are so different, the Vermes' design cannot be simply applied to the claimed structure of the invention.

For at least the reasons discussed above, Applicant respectfully submits that independent claim 10 recited a patentable structure and patently distinguishes from Vermes. Also, for the same reasons claim 11 patently distinguishes from Vermes. Therefore, claims 10 and 11 should be allowed.

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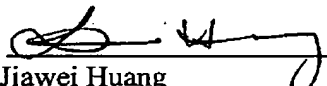
CONCLUSION

For at least the foregoing reasons, it is believe that all pending claims 2, 7-11 and 13 are in proper condition for allowance. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is hereby invited to telephone the undersigned counsel to arrange for such a conference.

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Respectfully submitted,
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